

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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TIFFANY VESTERMAN

Plaintiff,

-against-

**NOTICE OF MOTION TO  
DISMISS THE COMPLAINT**

THE DEPARTMENT OF EDUCATION OF THE CITY  
OF NEW YORK and DAVID C. BANKS, individually and  
as a Chancellor of the Department of Education of the City  
of New York,

No. 24-CV-02755 (LDH) (VMS)

Defendants.

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**PLEASE TAKE NOTICE** that, upon, the accompanying Memorandum of Law,  
Declaration of Assistant Corporation Counsel Madeleine A. Knutson, and all the papers and  
proceedings herein, Defendants The Department of Education of the City of New York and David  
C. Banks will move this Court, before the Honorable LaShann DeArcy Hall, United States District  
Judge, Eastern District of New York, at the United States Courthouse located at 225 Cadman Plaza  
East, Brooklyn, New York, 11201, on a date and time to be designated by the Court, for an order  
and judgment, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure dismissing  
Plaintiff's claims of religious discrimination and failure to accommodate pursuant to Title VII of  
the Civil Rights Act of 1964, 42 U.S.C. § 2000e, *et seq.*, the New York State Human Rights Law,  
N.Y. Exec. Law § 296, *et seq.*, and the New York City Human Rights Law, N.Y.C. Administrative  
Code §§ 8-101, *et seq.*, as well as Plaintiff's First Amendment and Fourteenth Amendment claims  
advanced pursuant to 42 U.S.C. § 1983.

Dated: New York, New York  
May 31, 2024

**HON. SYLVIA O. HINDS-RADIX**  
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By: */s/ Madeleine A. Knutson*  
Madeleine A. Knutson, Esq.  
Assistant Corporation Counsel

TO: All parties (via ECF)

1:24-CV-02755 (LDH) (VMS)

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

TIFFANY VESTERMAN,

Plaintiff,

-against-

THE DEPARTMENT OF EDUCATION OF THE CITY  
OF NEW YORK and DAVID C. BANKS individually  
and as a Chancellor of the Department of Education of  
the City of New York,

Defendants.

**NOTICE OF DEFENDANTS' MOTION TO  
DISMISS THE COMPLAINT**

*HON. SYLVIA O. HINDS-RADIX*

*Corporation Counsel of the City of New York*  
*Attorney for Defendants*  
*100 Church Street, 2-173*  
*New York, New York 10007*

*Of Counsel: Madeleine A. Knutson*  
*Tel: (212) 356-2445*  
*Matter #: 2024-026472*

*Due and timely service is hereby admitted.*

*New York, N.Y. ...., 2024*

*....., Esq.*

*Attorney for .....*